

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE BAYOU HEDGE FUND INVESTMENT  
LITIGATION

06 MD 1755 (CM)

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THIS DOCUMENT RELATES TO:  
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SOUTH CHERRY STREET, LLC,

06 CV-02943 (CM)

Plaintiff,

-against-

HENNESSEE GROUP LLC, ELIZABETH LEE  
HENNESSEE and CHARLES A. GRADANTE,

Defendants.

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**DECLARATION OF FRED GROOTHUIS**

STATE OF COLORADO     )  
                                      )ss.:  
COUNTY OF DENVER     )

1. I am the principal of plaintiff South Cherry Street, LLC ("South Cherry"). I am over eighteen years of age, and understand the nature and obligation of an oath. I have personal knowledge of the facts recited in this Declaration, and each of them is true and correct. I submit this Declaration under penalty of perjury and pursuant to 28 U.S.C. § 1746 in order to respond to the Declaration of Charles Gradante (the "Gradante Decl.") that is attached to defendants' motion to dismiss the Amended Complaint.

2. The Gradante Decl. accuses South Cherry of falsely pleading the existence and contents of a Hennessee Group LLC ("Hennessee Group") document referred to in the Amended

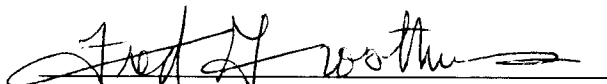
Complaint as “the Hennessee Investor Presentation” (see ¶21 of the Amended Complaint). In support of the accusation, Gradante annexes to the Gradante Decl. an entirely different document entitled “Hennessee Hedge Fund Advisory Group Investor Presentation” which does not contain any of the representations contained in the Amended Complaint.

3. Mr. Gradante has, for reasons best known to himself, attached the wrong document to his declaration. Attached hereto as Exhibit A is a true and correct copy of the document referred to in the Amended Complaint, which was mailed to me by Hennessee Group, and it contains all of the language referred to in the Amended Complaint.

4. Mr. Gradante makes the same mistake in respect of the other documents he annexes to his declaration. A true and correct copy of the “Manager Performance Monitor” referred to in the Amended Complaint at ¶¶33-34 is attached to my declaration as Exhibit B and, needless to say, it is an entirely different document than the documents Mr. Gradante has put forward. The Manager Performance Monitor documents, which were also mailed to me by Hennessee Group, contain the representations attributed to them in the Amended Complaint.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated herein are true.

Executed on  
April 25, 2007

  
Fred Groothuis